

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 18, 2006

## CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, December 18, 2006 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of the meeting was sent to Council on December 14, 2006, posted at City Hall, and published in the Daily Press.

## ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Steven Skok, Mark Kopp, Richard Dornisch, Thomas Farley, Sean Gabler, City Manager David Greene, and Solicitor Stephen French

## VISITORS

Visitors included: John Buerk, Wm. Hoehn, Rick, Gabler, Jr., Jude Salvaggio, Jerome Sorg, Tina Gnan, John Grotzinger, Carol Muhitch, Diane Krise, Audra Krise, and Todd Caltagarone

APPROVAL OF MINUTES  
December 4, 2006

Mark Kopp made a motion to approve the minutes of December 4, 2006, seconded by Steven Skok, and all were in favor.

PUBLIC HEARING  
re: City's 2007  
Budget

Mayor Geyer opened the Public Hearing at 7:02 p.m. regarding the City's 2007 Budget and turned the meeting over to Manager Greene.

The Manager stated the 2007 General Fund Budget for the City of Saint Marys and all other budgets were on display for ten (10) days for public inspection. This Public Hearing is being held to obtain input from citizens.

There were no citizen comments.

Public Hearing  
Closed

Richard Dornisch made a motion to close the Public Hearing at 7:03 p.m., seconded by Mark Kopp, and all were in favor.

SECOND PUBLIC HEARING  
re: 2007 CDBG Application

Mayor Geyer opened the second Public Hearing regarding the City's 2007 CDBG Application and turned the meeting over to Tina Gnan, Community and Economic Development Coordinator.

Tina Gnan stated the purpose of this hearing is to obtain Citizen input on the proposed projects. This is the second and final Public Hearing. Ms. Gnan stated the proposed projects were based on receiving an allotment of \$400,000. The City will not receive the actual figure until the beginning of January, 2007. The projects are the Senior Center with an actual dollar amount of \$187,253.91, the Depot Street multi-year project and Administration at 18%.

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The application will be on display from January 2nd through January 15th. A resolution will be presented to Council on January 15th authorizing the submission of the 2007 CDBG application.

There were no citizen comments.

A motion was made by Sean Gabler to approve the projects, seconded by Dennis Nero, and all were in favor.

Hearing Closed

The Public Hearing was closed by Mayor Geyer.

**REPORT ON EXECUTIVE SESSION**

Mayor Geyer stated an Executive Session was held on December 4, 2006 regarding personnel matters. No decisions were made.

**CITIZEN COMMENTS ON AGENDA TOPICS**

Several citizens requested time to speak later when their topics are presented on the agenda.

**MANAGER'S REPORT**

The Manager presented the following report:

- On November 20th, Victor Straub, Joe Bologna, Ray Klaiber, and I attended a meeting in Harrisburg with the Bureau of Aviation to discuss the City's plans for the "Airport Industrial Park".
- Tim Brennan & I met with representatives from Gannett-Fleming on November 21st to review plans for the "Airport Industrial Park"
- Sally Geyer, Tom Farley, & I attended the Ribbon cutting ceremony on December 1st at the new Jason Nedzinski Dental office on South Michael Road.
- December 5th, Matt Young, members of the Crystal Fire Dept. and I met with the contractor and representatives from Sheetz to discuss the demolition of the buildings for the new Sheetz store.
- December 6th, Victor Straub, Terry Pontzer and I attended an Airport Transportation meeting in DuBois. The topic of discussion was "The Toolkit for Planning & Zoning for Airports"
- Attended a "Rural Transportation Planning Program" meeting in Ridgway on Dec. 12th.
- Met with Howard & Dale Lepovetsky to discuss plans for the Impact St. Marys Project.

**APPROVAL OF EXPENDITURES**

Richard Dornisch made a motion to approve the Expenditures for the period November 12, 2006 thru December 15, 2006. The motion was seconded by Thomas Farley, and all were in favor.

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## TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of November 30, 2006. The revenue collected for the General Fund is at 93% of the budget or \$4.4 million. Last year in November, the City was at 88% of the budget and for 2004 revenue was at 92% of the budgeted amount. The expenditures for the General Fund is at 83% of the budget and for last year, the City spent 82%. For 2004, the City was at 81% of the budgeted amount. Benchmark would be at 91.6%. The remaining funds are staying well within their budgeted amounts. The Pension Funds' market value is still climbing.

**LEGISLATIVE ACTION**  
**Consider for Adoption:**  
Ordinance No. 225 re:  
Levy & Assessment  
of Taxes

Ordinance No. 225 was presented providing for the Levy and Assessment of Taxes for the City for the Fiscal Year 2007. Thomas Farley made a motion to adopt Ordinance No. 225, seconded by Mark Kopp, and all were in favor.

Resolution No. 06-21  
re: Adopting the  
City's 2007 Budget

Resolution No. 06-21 was presented adopting the 2007 Budget for the various funds for the City. Dennis Nero made a motion to adopt Resolution No. 06-21 and seconded by Steven Skok. On a roll call vote, Dennis Nero, Steven Skok, Mark Kopp, Sean Gabler, and Thomas Farley voted in the affirmative and Mayor Sally Geyer and Richard Dornisch voted in the negative. The motion passed by majority vote.

Ordinance No. 226  
re: Amending Chapter  
15, Part 4 General  
Parking Regulations

Ordinance No. 226 was presented amending Chapter 15, Part 4 General Parking Regulations. Thomas Farley made a motion to adopt Ordinance No. 226 and seconded by Sean Gabler.

Dennis Nero noted that there may be future amendments to this ordinance.

Richard Dornisch asked if any significant traffic differences were made which should be noted to the public. Manager Greene replied that we are putting up various signs throughout the City that were taken down several years ago because the ordinance was written improperly when it was codified and that there are no major changes.

## Motion Passed

All were in favor of the motion to adopt Ordinance No. 226.

Ordinance No. 227  
re: City's New  
Zoning Ordinance

Ordinance No. 227 was presented to adopt the City's new Zoning Ordinance. Richard Dornisch made a motion to adopt Ordinance No. 227 and seconded by Dennis Nero.



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Jerome Sorg	Jerome Sorg, citizen, strongly opposed the passing of the new Zoning Ordinance without a new map.
	Thomas Farley explained that he attended the Planning Commission meeting with Consultant Harry Roth and that he recalls Mr. Roth stating the City should pass the ordinance first and then work on the map.
Motion passed	All were in favor of the motion to adopt Ordinance No. 227.
Executive Session	An Executive Session was held at this time regarding personnel matters.
Reconvened	Council returned from the Executive Session and reconvened the meeting at 8:00 p.m.
Wage and Benefit Schedule 2007	Thomas Farley made a motion to approve the Wage and Benefit Schedule for 2007, seconded by Steven Skok, and all were in favor.
<b>Reappointments and Appointments to the City's Authorities, Benzinger Sewer Auth.</b>	Thomas Farley made a motion to reappoint Dale Wehler as a member of the Benzinger Sewer Authority, seconded by Steven Skok, and all were in favor.
St. Marys Municipal Authority	A motion was made by Dennis Nero to reappoint Joseph W. Goetz as a member of the St. Marys Municipal Authority, seconded by Mark Kopp, and all were in
Benzinger Golf Course Authority	Steven Skok made a motion to reappoint William M. Bauer as a member of the Benzinger Golf Course Authority, seconded by Sean Gabler, and all were in favor.
Benzinger Hosp. Auth.	A motion was made by Sean Gabler to reappoint Richard Friedl as a member of the Benzinger Hospital Authority, seconded by Mark Kopp, and all were in favor.
Parking Authority	A motion was made by Richard Dornisch to reappoint Gele Fedder as a member of the Parking Authority of the City of St. Marys, seconded by Steven Skok, and all were in favor.
St. Marys Area Airport Authority	Mark Kopp made a motion to reappoint Victor Straub as a member of the St. Marys Area Airport Authority, seconded by Sean Gabler, and all were in favor.
St. Marys Area Water Authority	A motion was made by Thomas Farley to reappoint Leo Ehrensberger as a member of the St. Marys Area Water Authority, seconded by Mark Kopp, and all were in favor.

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- Redevelopment Auth. Dennis Nero made a motion to appoint Daniel Hepner as a member of the Redevelopment Authority and seconded by Sean Gabler. Dennis Nero noted Mr. Hepner is appointed if he so desires to accept. All were in favor.
- St. Marys Zoning Hearing Board A motion was made by Sean Gabler to reappoint Dean Hansen and Stephen Herzing as members of the St. Marys Zoning Hearing Board and appoint Ed Hornung as an alternate member. The motion was seconded by Steven Skok, and all were in favor.
- Police Civil Service Commission Richard Dornisch made a motion to reappoint James Heary, Sr. as a member of the Police Civil Service Commission, seconded by Sean Gabler, and all were in favor.
- St. Marys Board of Health A motion was made by Steven Skok to appoint Dr. Maurus Sorg as a member of the St. Marys Board of Health, seconded by Richard Dornisch, and all were in favor.
- Planning Commission There are no vacancies on the St. Marys Planning Commission for the year 2007.
- St. Marys Recreation Board Mark Kopp made a motion to reappoint, Kurt Nesbitt, Kelly Breindel and Blaine Stebick as members of the St. Marys Recreation Board, seconded by Dennis Nero, and all were in favor.
- Shade Tree Commission A motion was made by Thomas Farley to appoint Patty Stebick and Clythera S. Hornung as members of the Shade Tree Commission of the City of St. Marys, seconded by Sean Gabler, and all were in favor.
- St. Marys Youth Center re: Transfer Tax Manager Greene read a letter from the St. Marys Youth Center. The St. Marys Youth Center and Project Gifts for Elk County have joined forces and through the generosity of Mr. & Mrs. David Hoy have acquired the former Hoy Appliance Store located at 18 Erie Avenue.
- The building transfer will occur this month before December 31st. There is a PA Reality and Transfer Tax associated with this transaction. The St. Marys Youth Center is asking Council to consider returning their portion of these proceeds 1/2% or about \$950.00 as a contribution. The Center received many generous contributions and also earned the support of a grant from Stackpole Hall Foundation with a remaining challenge of \$13,000. in direct dollar match. The City's contribution would count toward this match.

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1st motion	Thomas Farley made a motion to approve their request and seconded by Dennis Nero.  Solicitor French noted that government entities are not allowed to make charitable contributions to private organizations. Mr. French recommended that Council not grant their request until further research is performed to make sure the City is not violating the Pennsylvania Law.
Amended motion	Thomas Farley amended his motion to include approving the request contingent upon the Solicitor's input and approval.  Solicitor French also informed Mr. Dornisch that the City does not levy this tax because it is a state tax and therefore cannot wave the tax.
Rescinded motion	Dennis Nero rescinded his second on Thomas Farley's motion and asked that he rescind his motion, until the Solicitor investigates.
Action tabled	This item was tabled.
<b>TOPICS FOR DISCUSSION</b> Land Development Applications: Laser Effect,	A Land Development Application was presented from Laser Effect, 115 Haller Road for Council's review. The application included improvements such as handicap accessible and adding a parking lot. The St. Marys Planning Commission noted that if the parking lot is ever paved, the occupants must contact the City regarding a Stormwater Management Plan.
Elk County Catholic High School, Maurus Street	A Land Development Application was presented from the Elk County Catholic High School, Maurus Street for Council's review. The school plans on constructing a weight room addition to their existing building. The Zoning Hearing Board approved a special exception on November 15, 2006.
Accepting a Deed of Dedication re: Crestview Road	The Manager explained that John Grotzinger has requested that the City take over Crestview Road as a City road.  A memo was received from the Street Superintendent listing thirteen (13) different concerns that he felt needs to be addressed before the City accepts Crestview Road.
John Grotzinger	John Grotzinger stated that this road services the Regional Ambulatory Surgery Center, his home, and 11 lots which are for sale. Mr. Grotzinger explained some of the Street Superintendent's concerns such as: the guide rails were installed



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by Green Acres which does PennDOT's work; the City previously approved the cross sewer design two years ago; the traffic signal permit was received in 2001; base of the road is two feet of sand stone; Hawbaker paved the road, is core drilling necessary; the island at the entrance of the road was PennDOT's requirement; and the City already received a highway occupancy permit.

The Manager stated he would have Steve Samick and Tim Brennan review all the information and bring the data back to Council at the January 15th Council meeting.

Solicitor French stated the City cannot accept the road unless they know exactly what they are accepting. The City needs documentation as to how the road was built and also on the guide rails, which should be available from the contractors.

**CITIZEN COMMENTS ON  
NON-AGENDA TOPICS**

Bill Hoehn

Bill Hoehn, of 644 Lenze Avenue, presented and read a letter to Council. His major concern was that the City does not have a plan for the future.

John Buerk

John Buerk complained about an individual from the Elk County Solid Waste Authority. He also suggested that the City turn the Sewage Treatment Plant over to the Authority to operate.

Dennis Nero noted that talks with the Authority will be starting shortly.

Jude Salvaggio

Jude Salvaggio, owner of Tyler Landscape Maintenance, expressed his concerns regarding the compost facility located at the Woodbed Company, DeLaum Rd. Mr. Salvaggio felt he should be able to take material to the compost site free since his customers are St. Marys residents.

Solicitor French noted the compost site was put out for bid and that the terms of the bid cannot be changed. The City only received one bid.

John Grotzinger

John Grotzinger questioned when Crestview Road would be placed back on the agenda. The Manager stated it will be placed on the January 15th agenda.

**COUNCIL COMMENTS**

Dennis Nero stated that Manager David Greene is doing a super job and if a citizen cannot get a hold of Mr. Greene, it is because he is busy. They should leave a message and Mr. Greene will return their call. Mr. Nero said Mr. Greene has his full support.

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Steven Skok asked the Manager if he checked on the lights on Depot Street. Work orders have been placed with Allegheny Power.

Thomas Farley noted that a meeting should be set-up with the St. Marys Municipal Authority to discuss the possibility of creating an "operating authority". The meeting will be held on Wednesday, January 24, 2007 at 7:00 p.m. in the Council Room of City Hall. Both Solicitors will be requested to attend.

Mayor Geyer wished everyone in the City a Merry Christmas and a Happy New Year.

**ANNOUNCEMENT**

Mayor Geyer made the following announcement:

- Council will be holding a rescheduled worksession on Tuesday, January 2, 2007 at 7:00 p.m.

**ADJOURNMENT**

Sean Gabler made a motion to adjourn the meeting.

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Mayor

*Sherley Dicklas*  
Recording Secretary